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REMARKS - General

This is responsive to the Examiner's Office Action mailed on November 22, 2006. Applicants have hereby canceled claims 1 to 5; have amended claims 6 and 10; and add new claims 16 to 25. Thus claims 6-25 are pending in this application.

The status of all claims and the text of all pending claims are shown above. In the changes made to the claims by the current amendment, ~~deletions are shown by strikethrough~~, and additions are underlined.

Discussion of Claims Rejections - 35 USC §112

The Examiner rejected claims 4 and 6 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 was cancelled. However, the corresponding new claims 17 and 23 disclose the generic compositions with respect to polyvinylidene fluoride (Kynar) film, chlorotrifluoroethylene (KelF) film, and polychlorotrifluoroethylene (Aclar) film.

Claim 6 has been amended to state "a light source for transmitting a light beam through said pipette tip and said sample".

Discussion of Claims Rejections - 35 USC §102

The Examiner rejected claims 1-3 as being anticipated by Brewer (US 6,566,145). Applicant has cancelled claims 1-3.

The Examiner rejected claims 1-4 as being anticipated by Shukla et al. (US 6,537,502). Applicant has cancelled claims 1-4.

Discussion of Claims Rejections - 35 USC §103

The Examiner rejected claims 1-3 and 5 as being unpatentable over Treptow et al. (US 5,844,186) in view of Brewer. Applicant has cancelled claims 1-3 and 5.

Discussion of Allowable Subject Matter

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Claims 6-9 would be allowable. Applicant has amended claim 6 to overcome the rejections under 35 U.S.C. 112, 2nd paragraph and to include all of the limitations of the base claim and any intervening claims. Claims 7-9 are dependent claims from the independent claim 6.

Claims 10-15 would be allowable. Applicant has amended claim 10 and rewritten in independent form including all of the limitations of the base claims. Claims 11-15 are dependent claims from the independent claim 10.

Discussion of New Claims

Applicants have added new claims 16-25 to vary the scope of protection and to protect other features of embodiments of the invention. The new claims are supported by the specification and drawings; the new claims are derived from the allowed claims 6-15. No new matter has been introduced. The Examiner's consideration of the new claims is respectfully requested.

Conclusion and Conditional Request For Constructive Assistance

For all of the above reasons, applicant submits that claims are now in proper form, and that the claims all define patentably over the prior art. Therefore, he submits that this application is now in condition for allowance, which action he respectfully solicits. If, for any reason, this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 706.03(d) and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned (562-801-2088) such that any remaining issues may be promptly resolved.

Respectfully submitted,

3931/5 12-8-2006
Winston Z. Ho applicant Date